UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,046	09/29/2003	Andrew John Farnsworth	555255012582	2586

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EXAMINER
SMITH, SHEILA B

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/674,046	FARNSWORTH ET AL.
	Examiner	**Art Unit**
	Sheila B. Smith	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>03 June 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-7</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-7</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

1.   Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pedlar (U. S.

Patent Publication Number 2004/0224686) in view of Vialen et al. (U.S. Patent Number

6,898,429)

.   ***Regarding claim 1,*** Pedlar discloses all the claimed invention as set fourth in the instant

application, in addition Pedlar discloses a apparatus and method of uplink data during cell

update in universal mobile telecommunications system user equipment, further Pedlar discloses

a method of responding to a Cell or URA Update Confirm message received in a user

equipment in a communications system (which reads on "When the UTRAN wishes to change

the UE configuration it will issue a message to the UE containing a command to invoke a

specific RRC procedure" as disclosed in paragraph 0021), the method comprising the steps of:

receiving a Cell or URA Update Confirm message; determining whether the message places the

user equipment in a state that requires a response prior to entering the state (which reads on

"The UDS RRC 200 layer of the UE decodes this message and initiates the appropriate RRC

procedure. Generally when the procedure has been completed (either successfully or not) then

the UDS RRC sends a response message to the UTRAN (via the lower layers) informing the

UTRAN of the outcome. Although it should be noted that there are a few scenarios where the UDS RRC will not issue a response message to the UTRAN, in those cases the UDS RRC need not and does not reply" as disclosed in paragraph 0021); determining whether the message contains a C-RNTI element (which reads on "When the UTRAN wishes to change the UE configuration it will issue a message to the UE containing a command to invoke a specific RRC procedure" as disclosed in paragraph 0021); and in the event that a response is required and that the message contains a C-RNTI element, using the element to send a response message (which reads "regardless, UTRAN 310 sends a CELL UPDATE CONFIRM 367 via `message 3` 365, upon reception of which UE 320 sends back a response via `response to message 3"as disclosed in paragraphs 0042). However Padlar fails to disclose a new C-RNTI element.

In the same field of endeavor Vialen et al. discloses a identifier allocation method. Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinaryskill in the art at the time of invention was made to improve Pedlar by modifying the apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment with the use of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common channel messages and to save capacity on common radio channels.

Regarding claim 2, Pedlar discloses everything claimed, as applied above (see claim 1) additionally, Pedlar discloses a in the event that the message does not contain a C-RNTI element, using an existing C-RNTI element to send the response message (which reads on paragraph 0042,). However Padlar fails to disclose a new C-RNTI element.

In the same field of endeavor Vialen et al. discloses a identifier allocation method.

Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinaryskill in the art at the time of

invention was made to improve Pedlar by modifying the apparatus and method of uplink data

during cell update in universal mobile telecommunications system user equipment with the use

of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common

channel messages and to save capacity on common radio channels.

Regarding claim 3, Pedlar discloses everything claimed, as applied above (see claim 1)

additionally, Pedlar discloses a entering the state after sending the response message (which

reads on paragraphs 0042).

Regarding claim 4, Pedlar discloses everything claimed, as applied above (see claim 1)

additionally, Pedlar discloses a wherein the state comprises the CELL_PCH or URA_PCH state.

(which reads on paragraphs 0042).

Regarding claim 5, Pedlar discloses all the claimed invention as set fourth in the instant

application, in addition Pedlar discloses a apparatus and method of uplink data during cell update

in universal mobile telecommunications system user equipment, further Pedlar discloses a

method of responding to a Cell or URA Update Confirm message received in a user equipment

in a communications system (which reads on "When the UTRAN wishes to change the UE

configuration it will issue a message to the UE containing a command to invoke a specific RRC

procedure" as disclosed in paragraph 0021), the method comprising the steps of: receiving a Cell

or URA Update Confirm message; determining whether the message places the user equipment

in a state that requires a response prior to entering the state (which reads on "The UDS RRC 200

layer of the UE decodes this message and initiates the appropriate RRC procedure. Generally

when the procedure has been completed (either successfully or not) then the UDS RRC sends a

response message to the UTRAN (via the lower layers) informing the UTRAN of the outcome.

Although it should be noted that there are a few scenarios where the UDS RRC will not issue a

response message to the UTRAN, in those cases the UDS RRC need not and does not reply" as

disclosed in paragraph 0021); determining whether the message contains a C-RNTI element

(which reads on "When the UTRAN wishes to change the UE configuration it will issue a

message to the UE containing a command to invoke a specific RRC procedure" as disclosed in

paragraph 0021); and in the event that a response is required and that the message contains a C-

RNTI element, using the element to send a response message (which reads "regardless, UTRAN

310 sends a CELL UPDATE CONFIRM 367 via `message 3` 365, upon reception of which UE

320 sends back a response via `response to message 3"as disclosed in paragraphs 0042).

However Padlar fails to disclose a new C-RNTI element

In the same field of endeavor Vialen et al. discloses a identifier allocation method.

Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinaryskill in the art at the time of

invention was made to improve Pedlar by modifying the apparatus and method of uplink data

during cell update in universal mobile telecommunications system user equipment with the use

of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common

channel messages and to save capacity on common radio channels.

Regarding claim 6, Pedlar discloses everything claimed, as applied above (see claim 1)

additionally, Pedlar discloses a the event that the message does not contain a C-RNTI element,

using an existing C-RNTI element for sending the response message (which reads on paragraph

0042). However Padlar fails to disclose a new C-RNTI element.

In the same field of endeavor Vialen et al. discloses a identifier allocation method.

Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinaryskill in the art at the time of

invention was made to improve Pedlar by modifying the apparatus and method of uplink data

during cell update in universal mobile telecommunications system user equipment with the use

of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common

channel messages and to save capacity on common radio channels.

Regarding claim 7, Pedlar discloses everything claimed, as applied above (see claim 1)

additionally, Pedlar discloses a computer readable medium (which reads on "The SIM interface

444 is normally similar to a card-slot into which a SIM card can be inserted and ejected like a

diskette or PCMCIA card" as disclosed in paragraph 0045) storing a computer program

arranged to implement a method of providing a response to a Cell or URA Update Confinu

message in a communication system, the computer-readable medium complising: computer

readable code programmed for receiving a Cell or URA Update Confil'm message; computer

readable code programmed for detenuining whether the message places the user equipment in a

state that requires a response prior to enteling the state; in the event that a response is required

and that the message contains a new C- RNTI element, computer readable code programmed for

sending a response message using the new C-RNTI element. However Padlar fails to disclose a

new C-RNTI element

Response to Arguments

2.   Applicant's arguments with respect to claims 1-6 have been considered but are moot in
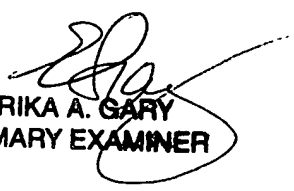
view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The

examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. Smith
August 21, 2006

ERIKA A. GARY
PRIMARY EXAMINER